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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,309	08/02/2000	Eddie Gindi	362-002	8288

7590  
Ward & Olivo  
708 Third Avenue  
New York, NY 10017

06/04/2003

EXAMINER

KIM, AHSHIK

ART UNIT PAPER NUMBER

2876

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/631,309

Applicant(s)

GINDI, EDDIE

Examiner

Ahshik Kim

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05/05/03 (RCE).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Notice of Appeal***

1. Receipt is acknowledged of the Notice of Appeal filed on March 3, 2003 (paper #11).

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### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 5, 2003 has been entered (paper #14).

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### ***Request for Reconsideration***

3. Pursuant to filing of Continued Examination, previously submitted Request for Reconsideration is entered (paper #12). Claims 1-6 remain for examination.

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### ***Drawings***

4. Examiner notes that that instant application is submitted without drawings. Although not required by statute, Applicant may submit drawings in response to this Office Action, if drawings deem helpful in disclosing claimed invention.

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### ***Claim Rejections – 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flemeing (US  
10 5,953,710) in view of Cohen (US 6,422,462).

Fleming teaches a credit card system wherein a sub-account or an apportioned credit line is linked to parent(s)' credit account (see abstract; col. 3, lines 5+). Sub account has a credit limit set by a primary account holder within the limit of the primary account. Since the apportioned credit line can be linked to one or more parents account, the credit line for the sub-  
15 account is equal among all credit cards associated with the credit line.

Although Fleming provides means to control and monitor sub account's activity by adjusting credit limit and number of transactions, Fleming fails to specifically teach or fairly suggest that credit line can be apportioned for specific classes of transactions.

Cohen teaches credit/debit cards for issuance by a card holder, the cards being limited to  
20 use in transaction at selected vendors only (see abstract; col. 5, lines 26+; col. 8, lines 41+).

In view of Cohen's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to employ additional means to authorize transaction based on selected vendors to the teachings of Fleming in order to reduce questionable transactions by sub-account holders. Although Fleming provides detailed transaction report by sub account holders,  
25 the report simply shows consummated transactions, not avoiding them. By reducing allowable credit limit or number of transactions, genuine need for purchases can be unintentionally

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hampered. Yet, the undesirable purchases can still occur. Accordingly, one would be motivated to filter at vendor level as disclosed in Cohen as to who may be the approved merchants are (i.e., children is allowed to use the card for tuitions, books, selected entertainment providers, etc.), and therefore, an obvious expedient. Moreover, since particular vendors are selected and authorized, the vendor can provide products or services over the Internet or telephone (Cohen, col. 3, lines 34+).

### ***Response to Arguments/Request***

6. Examiner notes Applicant's rather strong arguments alleging that previously cited reference to Solokl et al. (US 6,173,269) does not teach the elements recited in claimed invention. Use of new references in this Office Action is not an indication by the Examiner conceding to the Applicant's argument. In fact, Solokl references provides an excellent teaching pertaining to "specific classes of transactions" (see col. 5, lines 56+) since merchants appear to go through approval/screening process. It is the Examiner's view that the Fleming reference is more clear in pointing out relationship between primary account and sub-account as they are recited "credit line is identical among all credit cards associated with said apportioned credit line" in amended claim 1.

### ***Conclusion***

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Musmanno et al. (US 5,826,243); Walker et al. (US 6,327,348); Carlisle et al. (US

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5,649,118); Albrechet (US 6,182,895); Chastain (US 6,021,943) disclose credit card system allocating sub-accounts.

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (703)305-5203 . The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax number directly to the Examiner is (703) 746-4782. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim  
Patent Examiner  
Art Unit 2876  
May 27, 2003



MICHAEL G. LEE  
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